

REMARKS/ARGUMENTS

Reconsideration of this application in light of the above amendments and following comments is courteously solicited.

Independent claims 39 and 45 have been amended so as to clearly set forth that the at least one stud has a first end which is fixed to the lining support and a second end which abrades the friction lining during braking. Such a structure is not shown or disclosed by the prior art of record.

The undersigned refers to the telephone interview held with Examiner Siconolfi on July 29, 2009. During the telephone interview, independent claim 39 was discussed and it was agreed that the independent claim defined over the prior art of record and would be allowable over same.

In light of the foregoing, it is respectfully submitted that all of the claims as pending patentably define over the art of record and the early issuance of a formal notice of allowance is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

By /Gregory P. LaPointe #28395/
Gregory P. LaPointe
Attorney for Applicant
Reg. No.: 28,395

Telephone: 203-777-6628
Telefax: 203-865-0297

Date: August 11, 2009